

UNITED STATES DISTRICT COURT

FOR THE

MIDDLE DISTRICT OF ALABAMA

NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 2:06-cv-116-MEF

FIVE HUNDRED FORTY-THREE
THOUSAND ONE HUNDRED NINETY
DOLLARS (\$543,190.00) IN
UNITED STATES CURRENCY,

Defendant.

DECLARATION OF JOHN HIERONYMUS

1. I, John Hieronymus, hereby declare that I am the Forfeiture Counsel of the Drug Enforcement Administration (DEA), United States Department of Justice, and in that capacity supervise forfeiture activities within the DEA.

2. I affirm that, in the course of my official duties as Forfeiture Counsel of the DEA, I supervise and monitor the forfeiture activities of DEA field offices and receive reports and inquiries from those field offices regarding all facets of forfeiture matters.



3. I declare that material related to the property, which is the subject matter of the above-captioned action, is contained in one (1) file in my office.

4. The file, captioned as DEA Case No. KI-05-0058 and Asset Identification (I.D.) No. 05-DEA-456576, contains the following information:

(a) DEA Asset I.D. No. 05-DEA-456576 represents \$543,190.00 U.S. Currency seized from Enrique Alcaraz-Barajas on August 29, 2005, in Montgomery, Alabama. The DEA office in Montgomery, Alabama adopted this seizure and subsequently prepared and submitted a forfeiture report to this office. An attorney or paralegal reviewed this report to determine if the DEA field office provided adequate information to support administrative forfeiture proceedings against the property. This procedure included a legal review of the evidence that existed to seize the \$543,190.00 U.S. Currency. Based on this thorough review, the DEA accepted this case for administrative forfeiture.

(b) On October 17, 2005, pursuant to Title 19, United States Code (U.S.C.), Section 1607(a) and Title 18, U.S.C., Section 983(a), the DEA sent written notice of this seizure by certified mail, return receipt requested, to Mr. Enrique Alcaraz-Barajas, 16411 McFadden Avenue, Apt. 302, Tustin, CA 92780 (Exhibit 1). After three delivery attempts, the U.S. Postal Service returned the notice to DEA stamped "RETURNED TO SENDER. UNCLAIMED" (Exhibit 2).

(c) On October 17, 2005, pursuant to Title 19, U.S.C., Section 1607(a) and Title 18, U.S.C., Section 983(a), the DEA sent written notice of this seizure by certified mail, return receipt requested, to Mr. Guillermo Mario Martinez, 1265-B East 14th Street, Santa Ana, CA 92701 (Exhibit 3). The U.S. Postal Service returned the notice to DEA stamped "RETURNED TO SENDER. NO SUCH NUMBER" (Exhibit 4).

(d) On October 17, 2005, pursuant to Title 19, U.S.C., Section 1607(a) and Title 18, U.S.C., Section 983(a), the DEA sent written notice of this seizure by certified mail, return receipt requested, to Esther A. Sandoval, 1022 West Highland, Apt. 8, Santa Ana, CA 92703 (Exhibit 5). After three delivery attempts, the U.S. Postal Service returned the notice to DEA stamped "RETURNED TO SENDER. UNCLAIMED" (Exhibit 6).

(e) Pursuant to Title 19, U.S.C., Section 1607(a) and Title 21, Code of Federal Regulations, Section 1316.75, the seizure of the property was published in THE WALL STREET JOURNAL, a newspaper of general circulation in the Middle District of Alabama (Exhibit 7). The notice was published once each week for three successive weeks: October 31, and November 7 and 14, 2005. The published and mailed notices explained the option of filing a claim with the DEA Forfeiture Counsel in order to contest the forfeiture action in United States District Court. Pursuant to Title 18, U.S.C., Section 983(a)(2)(B), the published and mailed notices also stated that the deadline to file a claim was

November 21, 2005, or if the mailed notice was not received, December 14, 2005. In addition, the published and mailed notices explained the option of filing a petition for remission or mitigation.

(f) On November 29, 2005, pursuant to Title 19, U.S.C., Section 1607(a) and Title 18, U.S.C., Section 983(a), the DEA sent written notice of this seizure by certified mail, return receipt requested, to Mr. Enrique Alcaraz-Barajas, Prisoner ID No. NONE, Montgomery City Jail, 301 North Ripley Street, Montgomery, AL 36104 (Exhibit 8). On December 3, 2005, an individual signing in the "Signature" block accepted delivery of this notice (Exhibit 9).

(g) On November 29, 2005, pursuant to Title 19, U.S.C., Section 1607(a) and Title 18, U.S.C., Section 983(a), the DEA sent written notice of this seizure by certified mail, return receipt requested, to Mr. Enrique Alcaraz-Barajas, c/o Jerome C. Carter, 401 Church Street, Mobile, AL 36602 (Exhibit 10). On December 5, 2005, an individual signing in the "Signature" block accepted delivery of this notice (Exhibit 11).

(h) On November 29, 2005, pursuant to Title 19, U.S.C., Section 1607(a) and Title 18, U.S.C., Section 983(a), the DEA sent written notice of this seizure by certified mail, return receipt requested, to Mr. Guillermo Mario Martinez, 2414 North Tustin Ave., Apt. #13, Santa Ana, CA 92705 (Exhibit 12). The

U.S. Postal Service returned the notice to DEA stamped "RETURN TO SENDER INSUFFICIENT ADDRESS" (Exhibit 13).

(i) On November 29, 2005, pursuant to Title 19, U.S.C., Section 1607(a) and Title 18, U.S.C., Section 983(a), the DEA sent written notice of this seizure by certified mail, return receipt requested, to Esther A. Sandoval, 1136 West McFadden Ave., Santa Ana, CA 92707 (Exhibit 14). The U.S. Postal Service returned the notice to DEA stamped "RETURNED TO SENDER. Attempted Not Known" (Exhibit 15).


(j) On December 30, 2005, the DEA received a claim for seized property from Enrique Alcaraz-Barajas through Jerome C. Carter, Esq., Carter Law Firm - Cochran Law Firm - Mobile, 1105 Dauphin Street, Mobile, AL 36604-2511 (Exhibit 16) and (Exhibit 17).

(k) On January 3, 2006, the DEA received a claim for seized property from Enrique Alcaraz-Barajas through the Law Offices of Bruce Maddox, 6728 Taylor Court, Montgomery, AL 36117 (Exhibit 18) and (Exhibit 19).

(l) On January 18, 2006, the DEA referred the claims of Enrique Alcaraz-Barajas to the Office of the United States Attorney for the Middle District of Alabama, by Federal Express, for the initiation of judicial forfeiture proceedings (Exhibit 20). On the same date, the DEA notified Enrique Alcaraz-Barajas, c/o Bruce Maddox, Esq., 6728 Taylor Court, Montgomery, AL 36117 of this action (Exhibit 21).

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 11th day of July 2007.



John Hieronymus
Forfeiture Counsel
Asset Forfeiture Section (OML)
Drug Enforcement Administration
HQs Forfeiture Response
P. O. Box 1475
Quantico, VA 22134-1475

Attachments: Exhibits 1-21



**U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION**

Mr. Enrique Alcaraz-Barajas
16411 McFadden Avenue
Apt. 302
Tustin, CA 92780

Asset Id:	05-DEA-456576
Case Number:	K1-05-0058
Property:	\$543,190.00 U.S. Currency
Asset Value:	\$543,190.00
Seizure Date:	08/29/05
Seizure Place:	Montgomery, AL
Owner Name:	Alcaraz-Barajas, Enrique
Seized From:	Alcaraz-Barajas, Enrique
Judicial District:	Middle District of Alabama

NOTICE MAILING DATE: October 17, 2005

NOTICE OF SEIZURE

The above-described property was seized by Special Agents of the Drug Enforcement Administration (DEA) for forfeiture pursuant to Title 21, United States Code (U.S.C.), Section 881, because the property was used or acquired as a result of a violation of the Controlled Substances Act (Title 21, U.S.C., Sections 801 et seq.). The seizure date and place, as well as other pertinent information regarding the property are listed above.

Pursuant to Title 18, U.S.C., Section 983 and Title 19, U.S.C., Sections 1602-1619, procedures to administratively forfeit this property are underway. You may petition the DEA for return of the property or your interest in the property (remission or mitigation), and/or you may contest the seizure and forfeiture of the property in Federal court. You should review the following procedures very carefully.

TO REQUEST REMISSION OR MITIGATION OF FORFEITURE

If you want to request the remission (pardon) or mitigation of the forfeiture, you must file a petition for remission or mitigation with the Forfeiture Counsel of the DEA within thirty (30) days of your receipt of this notice. The petition must include proof of your

interest in the property and state the facts and circumstances which you believe justify remission or mitigation. The regulations governing the petition process are set forth in Title 28, Code of Federal Regulations, Part 9.

TO CONTEST THE FORFEITURE

In addition to, or in lieu of petitioning for remission or mitigation, you may contest the forfeiture of the seized property in UNITED STATES DISTRICT COURT. To do so, you must file a claim with the Forfeiture Counsel of the DEA by **November 21, 2005**. The claim need not be made in any particular form (Title 18, U.S.C., Section 983(a)(2)(D)). The claim shall identify the specific property being claimed; state the claimant's interest in such property; and be made under oath, subject to penalty of perjury (Title 18, U.S.C., Section 983(a)(2)(C)). A frivolous claim may subject the claimant to a civil fine in an amount equal to ten (10) percent of the value of the forfeited property, but in no event will the fine be less than \$250 or greater than \$5,000 (Title 18, U.S.C., Section 983(h)). Upon the filing of a claim under Title 18, U.S.C., Section 983(a), a claimant may request, pursuant to Section 983(f),

release of the seized property during the pendency of the forfeiture proceeding due to hardship. Requests must be sent to the Forfeiture Counsel of the DEA. The following property is not eligible for hardship release: contraband, currency, or other monetary instruments or electronic funds unless the property constitutes the assets of a legitimate business which has been seized; property to be used as evidence of a violation of the law; property, by reason of design or other characteristic, particularly suited for use in illegal activities; and property likely to be used to commit additional criminal acts if returned to the claimant. If you wish to contest the forfeiture of the asset, you must comply with the procedures set forth herein. Your failure to do so will result in the termination of your interest in the asset, and may preclude your contesting the forfeiture of the asset in any judicial proceeding - either civil or criminal - even if such a proceeding has already been commenced or is commenced in the future.

WHERE TO FILE CORRESPONDENCE

All submissions must be filed with the Forfeiture Counsel, Asset Forfeiture Section, Office of Operations Management, Drug Enforcement Administration, HQs Forfeiture Response, P.O. Box 1475, Quantico, Virginia 22134-1475. Correspondence sent via private delivery must be sent to Asset Forfeiture Section, Office of Operations Management, Drug Enforcement Administration, 2401 Jefferson Davis Highway, Alexandria, Virginia 22301. A P
OR OTHER CORRESPONDENCE WILL BE DEEMED FILED WHEN ACTUALLY RECEIVED FORFEITURE SECTION IN ARLINGTON, VIRGINIA. SUBMISSIONS BY FACSIMILE OR OTHER MEANS WILL NOT BE ACCEPTED. The Asset Id referenced above should be used with all submissions include the Asset ID may cause a delay in processing your submission(s).

EXHIBIT

1

Forfeiture Counsel
 Asset Forfeiture Section, ONIA
 Drug Enforcement Administration
 HQs Forfeiture Response
 P.O. Box 1475
 Quantico, Virginia 22134-1475



NO POSTAGE
 10411 WOODBURN AVENUE
 APT. 302
 TUSTIN, CA 92780
 (714) 835-1111

7004 2510 0006 9912 6563



CERTIFIED MAIL™

PS Form 3800, June 2002 See Reverse for Instructions

Sent To _____
 Street, Apt. No. _____
 or PO Box No. _____
 City, State ZIP+4 _____

7004 2510 0006 9912 6563

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
 Here

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

EXHIBIT

2

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**U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION**

Mr. Guillermo Mario Martinez
1265-B East 14th Street
Santa Ana, CA 92701

Asset Id:	05-DEA-456576
Case Number:	KI-05-0058
Property:	\$543,190.00 U.S. Currency
Asset Value:	\$543,190.00
Seizure Date:	08/29/05
Seizure Place:	Montgomery, AL
Owner Name:	Alcaraz-Barajas, Enrique
Seized From:	Alcaraz-Barajas, Enrique
Judicial District:	Middle District of Alabama

NOTICE MAILING DATE: October 17, 2005

NOTICE OF SEIZURE

The above-described property was seized by Special Agents of the Drug Enforcement Administration (DEA) for forfeiture pursuant to Title 21, United States Code (U.S.C.), Section 881, because the property was used or acquired as a result of a violation of the Controlled Substances Act (Title 21, U.S.C., Sections 801 et seq.). The seizure date and place, as well as other pertinent information regarding the property are listed above.

Pursuant to Title 18, U.S.C., Section 983 and Title 19, U.S.C., Sections 1602-1619, procedures to administratively forfeit this property are underway. You may petition the DEA for return of the property or your interest in the property (remission or mitigation), and/or you may contest the seizure and forfeiture of the property in Federal court. **You should review the following procedures very carefully.**

TO REQUEST REMISSION OR MITIGATION OF FORFEITURE

If you want to request the remission (pardon) or mitigation of the forfeiture, you must file a petition for remission or mitigation with the Forfeiture Counsel of the DEA within thirty (30) days of your receipt of this notice. The petition must include proof of your

interest in the property and state the facts and circumstances which you believe justify remission or mitigation. The regulations governing the petition process are set forth in Title 28, Code of Federal Regulations, Part 9.

TO CONTEST THE FORFEITURE

In addition to, or in lieu of petitioning for remission or mitigation, you may contest the forfeiture of the seized property in UNITED STATES DISTRICT COURT. To do so, you must file a claim with the Forfeiture Counsel of the DEA by **November 21, 2005**. The claim need not be made in any particular form (Title 18, U.S.C., Section 983(a)(2)(D)). The claim shall identify the specific property being claimed; state the claimant's interest in such property; and be made under oath, subject to penalty of perjury (Title 18, U.S.C., Section 983(a)(2)(C)). A frivolous claim may subject the claimant to a civil fine in an amount equal to ten (10) percent of the value of the forfeited property, but in no event will the fine be less than \$250 or greater than \$5,000 (Title 18, U.S.C., Section 983(b)). Upon the filing of a claim under Title 18, U.S.C., Section 983(a), a claimant may request, pursuant to Section 983(f),

release of the seized property during the pendency of the forfeiture proceeding due to hardship. Requests must be sent to the Forfeiture Counsel of the DEA. The following property is not eligible for hardship release: contraband, currency, or other monetary instruments or electronic funds unless the property constitutes the assets of a legitimate business which has been seized; property to be used as evidence of a violation of the law; property, by reason of design or other characteristic, particularly suited for use in illegal activities; and property likely to be used to commit additional criminal acts if returned to the claimant. If you wish to contest the forfeiture of the asset, you must comply with the procedures set forth herein. Your failure to do so will result in the termination of your interest in the asset, and may preclude your contesting the forfeiture of the asset in any judicial proceeding - either civil or criminal - even if such a proceeding has already been commenced or is commenced in the future.

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EXHIBIT

3

Forfeiture Counsel
 Asset Forfeiture Section, ONIA
 Drug Enforcement Administration
 HQs Forfeiture Response
 P.O. Box 1475
 Quantico, Virginia 22134-1475

2005 NOV -1 PM 3:28

7004 2510 0006 9912 6587

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 CERTIFIED MAIL™ RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
 Here

Sent To _____
 Street, Apt. No.,
 or PO Box No. _____
 City, State, ZIP+4 _____
 PS Form 3800, June 2002 See Reverse for Instructions

CERTIFIED MAIL™



7004 2510 0006 9912 6587

Handwritten signature/initials

Handwritten number 73

DEC 1 2005
 DE/Quantico

Mr. Guillermo Mario Martinez
 1265-B East 14th Street
 Santa Ana, CA 92701

EXHIBIT

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**U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION**

Esther A. Sandoval
1022 West Highland
Apt. 8
Santa Ana, CA 92703

Asset Id:	05-DEA-456576
Case Number:	K1-05-0058
Property:	\$543,190.00 U.S. Currency
Asset Value:	\$543,190.00
Seizure Date:	08/29/05
Seizure Place:	Montgomery, AL
Owner Name:	Alcaraz-Barajas, Enrique
Seized From:	Alcaraz-Barajas, Enrique
Judicial District:	Middle District of Alabama

NOTICE MAILING DATE: October 17, 2005

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WHERE TO FILE CORRESPONDENCE

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EXHIBIT

5

Forfeiture Counsel
 Asset Forfeiture Section, ONIA
 Drug Enforcement Administration
 HQs Forfeiture Response
 P.O. Box 1475
 Quantico, Virginia 22134-1475

39

2007

NOT
 10-21-07

Esmer A. Sandoval
 1022 West Highland
 Apt. 8
 Santa Ana, CA 92703

UNCLAIMED

7004 2510 0006 9912 6570



CERTIFIED MAIL™

7004 2510 0006 9912 6570

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 CERTIFIED MAIL™ RECEIPT
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 For delivery information visit our website at www.usps.com**

Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	

Postmark
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Sent To _____
 Street, Apt. No.,
 or PO Box No. _____
 City, State, ZIP+4 _____
 PS Form 3800, June 2002 See Reverse for Instructions

EXHIBIT

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Exhibit

11-14
 Notice and Notice
 Return

YL: 05-DEA-456947, \$2000.00. Money.
 eahall grove
 pondant (1)
 gent's
 12-DEA-456947, \$2000.00. Money.



**U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION**

Mr. Enrique Alcaraz-Barajas, Prisoner ID No. NONE
Montgomery City Jail
301 North Ripley Street
Montgomery, AL 36104

Asset Id:	05-DEA-456576
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Asset Value:	\$543,190.00
Seizure Date:	08/29/05
Seizure Place:	Montgomery, AL
Owner Name:	Alcaraz-Barajas, Enrique
Seized From:	Alcaraz-Barajas, Enrique
Judicial District:	Middle District of Alabama

NOTICE MAILING DATE: November 29, 2005

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interest in the property and state the facts and circumstances which you believe justify remission or mitigation. The regulations governing the petition process are set forth in Title 28, Code of Federal Regulations, Part 9.

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EXHIBIT

8



0566
U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION

Mr. Enrique Alcaraz-Barajas
c/o Jerome C. Carter
401 Church Street
Mobile, AL 36602

Asset Id:	05-DEA-456576
Case Number:	KI-05-0058
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Asset Value:	\$543,190.00
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Seizure Place:	Montgomery, AL
Owner Name:	Alcaraz-Barajas, Enrique
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Judicial District:	Middle District of Alabama

NOTICE MAILING DATE: November 29, 2005

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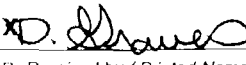

release of the seized property during the pendency of the forfeiture proceeding due to hardship. Requests must be sent to the Forfeiture Counsel of the DEA. The following property is not eligible for hardship release: contraband, currency, or other monetary instruments or electronic funds unless the property constitutes the assets of a legitimate business which has been seized; property to be used as evidence of a violation of the law; property, by reason of design or other characteristic, particularly suited for use in illegal activities; and property likely to be used to commit additional criminal acts if returned to the claimant. If you wish to contest the forfeiture of the asset, you must comply with the procedures set forth herein. Your failure to do so will result in the termination of your interest in the asset, and may preclude your contesting the forfeiture of the asset in any judicial proceeding - either civil or criminal - even if such a proceeding has already been commenced or is commenced in the future.

WHERE TO FILE CORRESPONDENCE

All submissions must be filed with the **Forfeiture Counsel, Asset Forfeiture Section, Office of Operations Management, Drug Enforcement Administration, HQs Forfeiture Response, P.O. Box 1475, Quantico, Virginia 22134-1475**. Correspondence sent via private delivery must be sent to Asset Forfeiture Section, Office of Operations Management, Drug Enforcement Administration, 2401 Jefferson Davis Highway, Alexandria, Virginia 22301. **A PETITION, CLAIM, OR OTHER CORRESPONDENCE WILL BE DEEMED FILED WHEN ACTUALLY RECEIVED BY THE FORFEITURE SECTION IN ARLINGTON, VIRGINIA. SUBMISSIONS BY FACSIMILE OR OTHER MEANS WILL NOT BE ACCEPTED.** The Asset Id referenced above should be used with all submissions. **include the Asset ID may cause a delay in processing your submission(s).**

EXHIBIT

10

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature 	
B. Received by (Printed Name) 		C. Date of Delivery 12/15/05	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No			
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
Asset ID: 05-DEA-456576 Mr. Enrique Alcaraz-Barajas c/o Jerome C. Carter 401 Church Street Mobile, AL 36602  05-456576-004		KI 845	
7005 0390 0000 9053 0566			
PS Form 3811, February 2004		Domestic Return Receipt	
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EXHIBIT

11



0597
U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION

Mr. Guillermo Mario Martinez
2414 North Tustin Ave.
Apt. #13
Santa Ana, CA 92705

Asset Id:	05-DEA-456576
Case Number:	KI-05-0058
Property:	\$543,190.00 U.S. Currency
Asset Value:	\$543,190.00
Seizure Date:	08/29/05
Seizure Place:	Montgomery, AL
Owner Name:	Alcaraz-Barajas, Enrique
Seized From:	Alcaraz-Barajas, Enrique
Judicial District:	Middle District of Alabama

NOTICE MAILING DATE: November 29, 2005

NOTICE OF SEIZURE

The above-described property was seized by Special Agents of the Drug Enforcement Administration (DEA) for forfeiture pursuant to Title 21, United States Code (U.S.C.), Section 881, because the property was used or acquired as a result of a violation of the Controlled Substances Act (Title 21, U.S.C., Sections 801 et seq.). The seizure date and place, as well as other pertinent information regarding the property are listed above.

Pursuant to Title 18, U.S.C., Section 983 and Title 19, U.S.C., Sections 1602-1619, procedures to administratively forfeit this property are underway. You may petition the DEA for return of the property or your interest in the property (remission or mitigation), and/or you may contest the seizure and forfeiture of the property in Federal court. **You should review the following procedures very carefully.**

TO REQUEST REMISSION OR MITIGATION OF FORFEITURE

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interest in the property and state the facts and circumstances which you believe justify remission or mitigation. The regulations governing the petition process are set forth in Title 28, Code of Federal Regulations, Part 9.

TO CONTEST THE FORFEITURE

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WHERE TO FILE CORRESPONDENCE

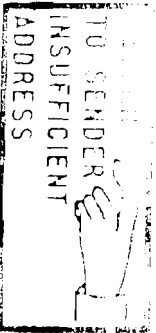
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EXHIBIT

12

Forfeiture Counsel
 Asset Forfeiture Section, OMA
 Drug Enforcement Administration
 HQS Forfeiture Response
 P.O. Box 1475
 Quantico, VA 22134-1475

Mr. Guillermo Mario Martinez
 2414 North Tusin Ave.
 Apt. #13
 Santa Ana, CA 92705



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6580
U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION

Esther A. Sandoval
1136 West McFadden Ave.
Santa Ana, CA 92707

Asset Id:	05-DEA-456576
Case Number:	K1-05-0058
Property:	\$543,190.00 U.S. Currency
Asset Value:	\$543,190.00
Seizure Date:	08/29/05
Seizure Place:	Montgomery, AL
Owner Name:	Alcaraz Barajas, Enrique
Seized From:	Alcaraz-Barajas, Enrique
Judicial District:	Middle District of Alabama

NOTICE MAILING DATE: November 29, 2005

NOTICE OF SEIZURE

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EXHIBIT

14

Forfeiture Counsel
 Asset Forfeiture Section, CMA
 Drug Enforcement Administration
 HQS Forfeiture Response
 P.O. Box 1475
 Quantico, VA 22134-1475

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 Under
 712

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EXHIBIT

15

**NOTICE OF CLAIM
Of
MR. ENRIQUE ALCARAZ-BARAJAS**

Asset ID: **05-DEA-456576**
Case Number: KI-05-0058
Property: \$543,190.00 U.S. Currency
Asset Value: \$543,190.00
Seizure Date: August 29, 2005
Seizure Place: Montgomery, Alabama
Owner Name: ENRIQUE ALCARAZ-BARAJAS
Seized From: ENRIQUE ALCARAZ-BARAJAS
Federal District: Middle District of Alabama

2005 DEC 08 PM 2:42

Comes Now **ENRIQUE ALCARAZ-BARAJAS** and files this notice of claim on seized U.S. Currency in the above referenced matter and states the claim as follows:

That late July 2005, I noticed a black plastic garbage bag near a pond outside a Hampton Inn in Tampa, Florida. Believing it to be abandoned, I moved the bag to some bushes outside the hotel. The next day, I looked inside to find bundles of U.S. currency. I made arrangements to secure the money in safe deposit boxes at a Tampa bank.

The money was later seized by Alabama State Troopers after a traffic stop in Montgomery, Alabama. When asked about the money I explained to the officers that I found the money. Upon additional interrogation, I was charged with impersonating a U.S. citizen. A complete search of the vehicle was completed without incident.

I did not file a report with the local police or attempt to locate the owner of the lost money. I was unsure of the process of staking a claim in relation to the currency, but would have if I had known there was a process for doing so.

I now, under oath and in fear of perjury, claim my interest in the money as finder of lost currency. I will waive any interest to the true and rightful owner should one come forward with proof of a superior claim.


Signed this 29 day of December, 2005.


ENRIQUE ALCARAZ-BARAJAS

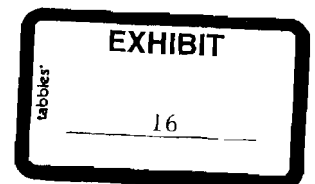
**STATE OF ALABAMA
COUNTY OF MONTGOMERY**

I, the undersigned Notary Public in and for said State and County, hereby certify that **ENRIQUE ALCARAZ-BARAJAS**, whose name is signed to the foregoing claim, and who is known to me, acknowledged before me on this day, that being informed of the contents of the claim, he executed the same voluntarily on the day the same bears date.

Sworn to and subscribed before me on this
the 29 day of December, 2005.


Notary Public, State at Large
My commission expires: _____

Notary Public State of Alabama at Large
My Commission Expires 6/9/07





**U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION**

Mr. Enrique Alcaraz-Barajas
c/o Jerome C. Carter
401 Church Street
Mobile, AL 36602

Asset Id:	05-DEA-456576
Case Number:	KI-05-0058
Property:	\$543,190.00 U.S. Currency
Asset Value:	\$543,190.00
Seizure Date:	08/29/05
Seizure Place:	Montgomery, AL
Owner Name:	Alcaraz-Barajas, Enrique
Seized From:	Alcaraz-Barajas, Enrique
Judicial District:	Middle District of Alabama

NOTICE MAILING DATE: November 29, 2005

NOTICE OF SEIZURE

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Before the Drug Enforcement Administration

In the Matter of:

\$543,190 U.S. Currency
Asset ID# 05-DEA-456576
Case #: KI-05-0058

ASSET FORFEITURE, DDA
2006 JAN -4 PM 1:45

CLAIM

Before me the undersigned authority came Enriqu Alcaraz-Barajas, who under oath gives the following statement.

1. My name is Enriqu Alcaraz-Barajas. I make this claim pursuant to Rule C (6) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, for any interest in **\$543,190 U.S. Currency**, Identification Number **05-DEA-456576**, made subject of this action for the forfeiture pursuant to Title 18, Unites States Code (U.S.C.) Section 983 (a)(2), and/or Title 21, United States code (U.S.C.) Section 881 (a)(6) and/or Title 28, United States Code (U.S.C.) Sections 1345 and 1355.
2. On the date of seizure a total of **\$543,190U.S. Currency** was taken, which I hereby claim.
3. I am entitled to the lawful possession of said property, because I lawfully possessed said property at the time of seizure and I lawfully own an interest in same.

DATED this the 22nd day of December, 2005.

Enriqu Alcaraz
Enriqu Alcaraz-Barajas

STATE OF ALABAMA)

MONTGOMERY COUNTY)

Before me the undersigned authority, a Notary Public for the State at Large, personally appeared **Enriqu Alcaraz-Barajas**, who is known to me and who by me first duly sworn, deposes and says that the above statements are true and correct to the best of his knowledge and belief, and that he makes the above statements subject to the penalty of perjury.

SWORN to and SUBSCRIBED before me this the 22nd day of December, 2005.

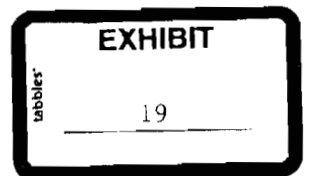
Enriqu Alcaraz
Enriqu Alcaraz-Barajas
Deborah Snidley
Notary Public

My commission expires on 01-30-07



LAW OFFICES
OF
BRUCE MADDOX
6728 TAYLOR COURT
MONTGOMERY, ALABAMA 36117

Forfeiture Counsel, Asset Forfeiture Section
Office of Operations Management
Drug Enforcement Administration
Hqs Forfeiture Response
P.O. Box 1475
Quantico, Virginia 22134-1475



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Memorandum



Subject

JUDICIAL REFERRAL OF SEIZED ASSET(S) OR
REFERRAL OF SUPPLEMENTAL INFORMATION

Date

JAN 18 2006

To

United States Attorney
ATTN: X Chief, Civil Division
_____ Chief, Criminal Division

From

Asset Forfeiture Section, OMA
Office of Operations Management
Drug Enforcement Administration

Claims received by DEA on: January 3, 2006

ASSET ID NUMBER	CASE NUMBER	PROPERTY DESCRIPTION
05-DEA-456576	KI-05-0058	\$543,190.00 U.S. Currency
JUDICIAL DISTRICT: Middle District of Alabama		

The properties identified above have been seized by the DEA. Information regarding these seizures may have been received from the local DEA office. Your office is hereby requested to initiate JUDICIAL FORFEITURE PROCEEDINGS against these seized properties.

The attached Standard Seizure Form (SSF) printouts contain a probable cause statement, identifies the potential claimants, the estimated value and present location of the seized properties. The SSF printouts also identify the DEA Special Agent who can provide detailed investigative records necessary for the filing of a verified Complaint.

The paragraph(s) checked below apply to these seizures:

- ☐ The value of the seized property exceeds \$500,000.00 and/or is real property or a Complaint has been filed on the seized property.
- ☐ We have been advised by the local DEA office that this property has been included in an Indictment seeking forfeiture under 18 U.S.C. §982, 19 U.S.C. §1963 or 21 U.S.C. §853.
- XX The value of the seized property is less than \$500,000.00, is a monetary instrument or is a conveyance used to facilitate drug trafficking and a timely claim was filed after the service of notice and advertisement of the seizure.

☐ A Hardship Release of Property Request was granted / ☐ denied on ____.

EXHIBIT

20

tabbies

____ The attached petition(s) was received. Your attention is directed to 28 C.F.R. §9.4 regarding procedures relating to petitions for judicial forfeitures.

____ This seizure was referred to your office on _____ because the aggregate value of the seized property exceeded \$500,000.00 and/or a Complaint was filed on the seized property. DEA has received the attached timely claim.

____ Other: _____

On __, (Civil Number _____), the above-described property was referred to your office to initiate judicial forfeiture proceedings because the property was either (a) valued less than \$500,000.00 and a timely claim was filed, (b) real property or (c) valued at \$500,000.00 or greater. DEA has received **supplemental** information or documents relative to this matter. The paragraph(s) checked below refer specifically to this forfeiture action:

____ A petition for remission and/or mitigation was received from a **violin** involved in the criminal investigation which led to this seizure. No petition investigation has been ordered and the petition is attached for your consideration. DEA recommends that the petition be **denied**.

____ A petition for remission and/or mitigation was received from the **registered owner or third party** and the appropriate local DEA office has been directed to conduct a petition investigation. **The results will be forwarded by the local DEA office conducting the investigation.**

____ A petition for remission and/or mitigation was received from a **lienholder**. No petition investigation has been ordered and the petition is attached for your consideration. DEA recommends that the petition be granted.

____ Other: _____

It is requested that copies of the following documents, as they are filed and/or entered in this matter, be forwarded to the **Divisional Drug Enforcement Administration office listed below***: (1) Complaints (2) Dismissal Orders, (3) Stipulations or Orders of Interlocutory Sale and (4) all Forfeiture Orders, partial or Final. Telephone inquiries are to be directed to the DEA/Headquarters, Asset Forfeiture Section at (202) 307-8555. All correspondence should refer to the asset identifier and case numbers noted above.

Attachment(s)

cc: *DEA Asset Removal Group
ATTN: Group Supervisor Robert B. Pumphrey
DEA: New Orleans Divisional Office

USAO.CLAIM.REFERRAL (AUG. 02)

BY: NAM AD CODE #: 842

**NOTICE OF CLAIM
Of
MR. ENRIQUE ALCARAZ-BARAJAS**

Asset ID: **05-DEA-456576**
Case Number: **KI-05-0058**
Property: **\$543,190.00 U.S. Currency**
Asset Value: **\$543,190.00**
Seizure Date: **August 29, 2005**
Seizure Place: **Montgomery, Alabama**
Owner Name: **ENRIQUE ALCARAZ-BARAJAS**
Seized From: **ENRIQUE ALCARAZ-BARAJAS**
Federal District: **Middle District of Alabama**

2005 DEC 30 PM 2:42

Comes Now **ENRIQUE ALCARAZ-BARAJAS** and files this notice of claim on seized U.S. Currency in the above referenced matter and states the claim as follows:

That late July 2005, I noticed a black plastic garbage bag near a pond outside a Hampton Inn in Tampa, Florida. Believing it to be abandoned, I moved the bag to some bushes outside the hotel. The next day, I looked inside to find bundles of U.S. currency. I made arrangements to secure the money in safe deposit boxes at a Tampa bank.

The money was later seized by Alabama State Troopers after a traffic stop in Montgomery, Alabama. When asked about the money I explained to the officers that I found the money. Upon additional interrogation, I was charged with impersonating a U.S. citizen. A complete search of the vehicle was completed without incident.

I did not file a report with the local police or attempt to locate the owner of the lost money. I was unsure of the process of staking a claim in relation to the currency, but would have if I had known there was a process for doing so.

I now, under oath and in fear of perjury, claim my interest in the money as finder of lost currency. I will waive any interest to the true and rightful owner should one come forward with proof of a superior claim.

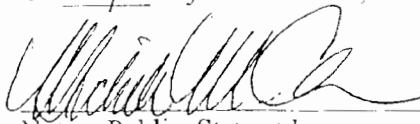
Signed this 29 day of December, 2005.


ENRIQUE ALCARAZ-BARAJAS

**STATE OF ALABAMA
COUNTY OF MONTGOMERY**

I, the undersigned Notary Public in and for said State and County, hereby certify that **ENRIQUE ALCARAZ-BARAJAS**, whose name is signed to the foregoing claim, and who is known to me, acknowledged before me on this day, that being informed of the contents of the claim, he executed the same voluntarily on the day the same bears date.

Sworn to and subscribed before me on this
the 29 day of December, 2005.


Notary Public, State at Large
My commission expires: _____

Notary Public State of Alabama at Large
My Commission Expires 6/9/07



**U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION**

Mr. Enrique Alcaraz-Barajas
c/o Jerome C. Carter
401 Church Street
Mobile, AL 36602

Asset Id:	05-DEA-456576
Case Number:	KI-05-0058
Property:	\$543,190.00 U.S. Currency
Asset Value:	\$543,190.00
Seizure Date:	08/29/05
Seizure Place:	Montgomery, AL
Owner Name:	Alcaraz-Barajas, Enrique
Seized From:	Alcaraz-Barajas, Enrique
Judicial District:	Middle District of Alabama

NOTICE MAILING DATE: November 29, 2005

NOTICE OF SEIZURE

The above-described property was seized by Special Agents of the Drug Enforcement Administration (DEA) for forfeiture pursuant to Title 21, United States Code (U.S.C.), Section 881, because the property was used or acquired as a result of a violation of the Controlled Substances Act (Title 21, U.S.C., Sections 801 et seq.). The seizure date and place, as well as other pertinent information regarding the property are listed above.

Pursuant to Title 18, U.S.C., Section 983 and Title 19, U.S.C., Sections 1602-1619, procedures to administratively forfeit this property are underway. You may petition the DEA for return of the property or your interest in the property (remission or mitigation), and/or you may contest the seizure and forfeiture of the property in Federal court. **You should review the following procedures very carefully.**

TO REQUEST REMISSION OR MITIGATION OF FORFEITURE

If you want to request the remission (pardon) or mitigation of the forfeiture, you must file a petition for remission or mitigation with the Forfeiture Counsel of the DEA within thirty (30) days of your receipt of this notice. The petition must include proof of your

interest in the property and state the facts and circumstances which you believe justify remission or mitigation. The regulations governing the petition process are set forth in Title 28, Code of Federal Regulations, Part 9.

TO CONTEST THE FORFEITURE

In addition to, or in lieu of petitioning for remission or mitigation, you may contest the forfeiture of the seized property in UNITED STATES DISTRICT COURT. To do so, you must file a claim with the Forfeiture Counsel of the DEA by **January 3, 2006**. The claim need not be made in any particular form (Title 18, U.S.C., Section 983(a)(2)(D)). The claim shall identify the specific property being claimed; state the claimant's interest in such property; and be made under oath, subject to penalty of perjury (Title 18, U.S.C., Section 983(a)(2)(C)). A frivolous claim may subject the claimant to a civil fine in an amount equal to ten (10) percent of the value of the forfeited property, but in no event will the fine be less than \$250 or greater than \$5,000 (Title 18, U.S.C., Section 983(h)). Upon the filing of a claim under Title 18, U.S.C., Section 983(a), a claimant may request, pursuant to Section 983(f),

release of the seized property during the pendency of the forfeiture proceeding due to hardship. Requests must be sent to the Forfeiture Counsel of the DEA. The following property is not eligible for hardship release: contraband, currency, or other monetary instruments or electronic funds unless the property constitutes the assets of a legitimate business which has been seized; property to be used as evidence of a violation of the law; property, by reason of design or other characteristic, particularly suited for use in illegal activities; and property likely to be used to commit additional criminal acts if returned to the claimant. If you wish to contest the forfeiture of the asset, you must comply with the procedures set forth herein. Your failure to do so will result in the termination of your interest in the asset, and may preclude your contesting the forfeiture of the asset in any judicial proceeding - either civil or criminal - even if such a proceeding has already been commenced or is commenced in the future.

WHERE TO FILE CORRESPONDENCE

All submissions must be filed with the Forfeiture Counsel, Asset Forfeiture Section, Office of Operations Management, Drug Enforcement Administration, HQs Forfeiture Response, P.O. Box 1475, Quantico, Virginia 22134-1475. Correspondence sent via private delivery must be sent to Asset Forfeiture Section, Office of Operations Management, Drug Enforcement Administration, 2401 Jefferson Davis Highway, Alexandria, Virginia 22301. **A PETITION, CLAIM, OR OTHER CORRESPONDENCE WILL BE DEEMED FILED WHEN ACTUALLY RECEIVED BY THE DEA ASSET FORFEITURE SECTION IN ARLINGTON, VIRGINIA. SUBMISSIONS BY FACSIMILE OR OTHER ELECTRONIC MEANS WILL NOT BE ACCEPTED.** The Asset Id referenced above should be used with all submissions. Failure to include the Asset ID may cause a delay in processing your submission(s).

Before the Drug Enforcement Administration

In the Matter of:

\$543,190 U.S. Currency
Asset ID# 05-DEA-456576
Case #: KI-05-0058

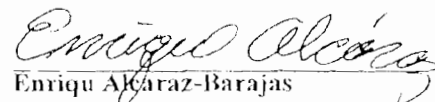
ASSET FORFEITURE. DOA
2006 JAN -4 PM 1:49

CLAIM

Before me the undersigned authority came Enriqu Alcaraz-Barajas, who under oath gives the following statement.

1. My name is Enriqu Alcaraz-Barajas. I make this claim pursuant to Rule C (6) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, for any interest in **\$543,190 U.S. Currency**, Identification Number **05-DEA-456576**, made subject of this action for the forfeiture pursuant to Title 18, United States Code (U.S.C.) Section 983 (a)(2), and/or Title 21, United States code (U.S.C.) Section 881 (a)(6) and/or Title 28, United States Code (U.S.C.) Sections 1345 and 1355.
2. On the date of seizure a total of **\$543,190 U.S. Currency** was taken, which I hereby claim.
3. I am entitled to the lawful possession of said property, because I lawfully possessed said property at the time of seizure and I lawfully own an interest in same.

DATED this the 22nd day of December, 2005.

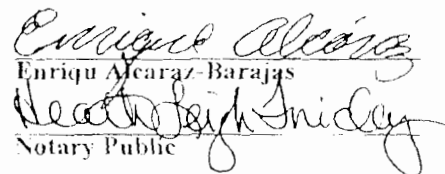

Enriqu Alcaraz-Barajas

STATE OF ALABAMA)

MONTGOMERY COUNTY)

Before me the undersigned authority, a Notary Public for the State at Large, personally appeared **Enriqu Alcaraz-Barajas**, who is known to me and who by me first duly sworn, deposes and says that the above statements are true and correct to the best of his knowledge and belief, and that he makes the above statements subject to the penalty of perjury.

SWORN to and SUBSCRIBED before me this the 22nd day of December, 2005.


Enriqu Alcaraz-Barajas
Notary Public

My commission expires on 01-30-07

United States Attorney's Office
MIDDLE DISTRICT OF ALABAMA
Att: Chief of Civil Division
One Court Square, Suite 201
Montgomery, AL 36104

Asset I.D. 05-DEA-456576 (KI)



U. S. Department of Justice
Drug Enforcement Administration
Office of Operations Management

www.dea.gov

JAN 18 2006

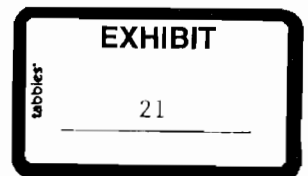
Enrique Alcaraz-Barajas
c/o Bruce Maddox, Esq.
6728 Taylor Court
Montgomery, AL 36117

ASSET ID NUMBER	CASE NUMBER	PROPERTY DESCRIPTION
05-DEA-456576	KI-05-0058	\$543,190.00 U.S. Currency
JUDICIAL DISTRICT: Middle District of Alabama		

Dear Mr. Alcaraz-Barajas:

The Drug Enforcement Administration (DEA) has received your claim and/or petition regarding the above-referenced asset. The following information is provided:

- XX Your claim has been accepted and this matter has been referred to the United States Attorney for the Civil Division in the judicial district noted above. Please direct all inquiries regarding this matter to that office.
- _____ Your claim and petition have been accepted and this matter has been referred to the United States Attorney for the Civil Division in the judicial district noted above. Please direct all inquiries regarding this matter to that office.
- _____ Your petition, which was previously acknowledged, is now being handled by the United States Attorney for the Civil Division in the judicial district noted above. Please direct all inquiries regarding this matter to that office.
- _____ Your claim for the above referenced property is being **returned** because it was received **in this office** after the last date to file, which was _____.



-2-

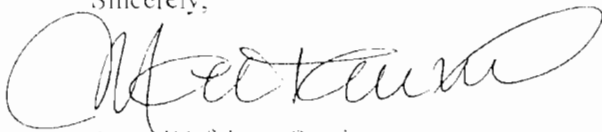
_____ Petitions for Remission and/or Mitigation of forfeiture may be filed until the date the property is disposed of according to law. Since you submitted a petition along with your claim, this office will administratively rule on your petition. It is anticipated that this process will take a minimum of **120 days** before a decision can be rendered on the merits of the petition. Please be assured that all petitions are handled on a "**first-in, first-out**" basis.

_____ Although you did **not** file a Petition for Remission and/or Mitigation along with your claim, as a matter of discretion, we will allow you **twenty (20) days** from the date of receipt of this letter to file a petition for an administrative ruling by this office before the property is disposed of according to law. Please note that your petition must be sworn to under penalty of perjury. For your ready reference, the acceptable language required by statute is as follows:

"I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date) (Signature)".

Please ensure that **all documents and correspondence regarding this matter reference the DEA asset identifier and case numbers noted above** and, unless otherwise directed, be addressed to the Forfeiture Counsel, Asset Forfeiture Section, Drug Enforcement Administration, HQ's Forfeiture Response, P.O. Box 1475, Quantico, Virginia 22134-1475. Correspondence sent via private delivery must be sent to the Asset Forfeiture Section, OMA, Office of Operations Management, Drug Enforcement Administration, 2401 Jefferson Davis Highway, Alexandria, Virginia 22301.

Sincerely,



Asset Forfeiture Section
Office of Operations Management

CLAIMACKNOWLEDGELETTER (SEPT. 04)

BY: NAM AD CODE #: 846